

REMARKS

In view of the foregoing amendments and following remarks, favorable reconsideration of the pending claims is respectfully requested.

Claims 1 and 7 have been amended to recite that one of the components is virgin polymer that has not been subjected to at least two heat histories in which the polymer has been melted and resolidified.

Rejections under 35 U.S.C. § 112

Claim 8 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserts that there is insufficient antecedent basis for the claims terms "first polymer component" and "second polymer component", and that it is not clear if the second polymer component is the second polymer component of claim 7 that comprises reclaim polypropylene, and if the first polymer component is the first polymer component of claim 7 that comprises virgin polypropylene.

Applicants are not clear as to the source of the Examiner's confusion. Claim 7 clearly provides antecedent basis for the first and second polymer components recited in Claim 8, and therefore this rejection should be withdrawn.

Prior Art Rejections

Claims 1-10, 29, and 30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,162,074 to Hills in view of U.S. Patent No. 5,814,349 to Geus et al., and in further view of Gessner.

In the rejections, the Examiner acknowledges that neither Hills nor Geus teaches or suggests the use of reclaimed polymer in the filaments. To make up for this shortcoming, the Examiner has relied on Gessner.

Gessner is directed to the preparation of meltblown fabrics comprising reclaimed polypropylene is blended with a prodegradant that generates radicals upon heating. The thus generated radicals then attack the polymer, which causes bonds to break and degradation of the polymer. Gessner states "[a]ny of the prodegradants known in the art may be used in accordance with the present invention, but preferably the prodegradant is an organic prodegradant, and more preferably an organic peroxide-based prodegradant. Illustrative of the prodegradants which can be suitably used in the process of the

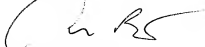
invention are 2,3-dimethyl hexane, 1,5-bis-dibutyl peroxide; 2,5-dimethyl-2,5-di(t-butylperoxy)hexane-3 (e.g., Lupersol 130, available from Lucidol Division, Pennwalt Corp.); di(2-tert-butyl-peroxy-isopropyl)benzane (e.g., Vul-Cup R available from Hercules Inc.); 4-methyl-4-t-butyl peroxy-2-pentanone (e.g., Lupersol 120); 3,6,6,9,9-pentamethyl-3-(ethyl acetate) (e.g., USP 138 available from Witco Chemical Corp.); 1,2,4,5-tetraoxy cyclonanone; 2,5-dimethyl 2,5-bis-(t-butylperoxy) hexane (e.g., Lupersol 101); and the like.” See column 4, line 54 through column 5, line 2.

In contrast to the claimed invention, Gessner does not teach the step of “separately” melting a first polymer component comprising reclaimed polymer and a second polymer containing virgin polymer. In fact, this step is found in none of the cited references. At the bottom of page 6, the Examiner states “Gessner teaches the two polymer components are dry blended and then melted.” However, Gessner does not teach the dry blending of two polymer component and then melting of the two components. Rather, Gessner teaches blending a prodegradant with reclaimed polymer. **The prodegradant is not a polymer.** In particular, a review of the description of the prodegradant including the examples provided in Gessner show that the prodegradant is not a polymer. Accordingly, Gessner, nor any of the other references relied on by the Examiner, fails to disclose or suggest the step of separately melting a first polymer component of reclaimed polymer and a second polymer component of virgin polymer as required by the instant claims. As such, the combination of Hills, Geus, Gessner fails to disclose or suggest the claimed invention.

Further, the process of producing a fabric in Gessner is completely different than that of the claimed invention or the system described in the Hills. The claimed invention and the system described in Hills is directed to the production of spunbond nonwoven fabrics comprising continuous bico filaments. In sharp contrast, Gessner is directed to a meltblown fabric comprising fibers of discrete length. See columns 7 and 8. These two fabrics and associated processes are completely different from each other, and one of ordinary skill in the art would not combine Gessner with Hill as suggested by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the rejections under 35 U.S.C. § 103(a) and 112 have been overcome. It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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